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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

JOSE BRITO-LOPEZ, aka Jose Brito,

Petitioner,

v.

MICHAEL B. MUKASEY, U.S.
ATTORNEY GENERAL, et al.,

Respondents.

No. ED CV 07-181-AHM (PLA)

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file de novo, including the magistrate judge's report and recommendation. The Court agrees with the recommendations of the magistrate judge.

ACCORDINGLY, IT IS ORDERED:


1. The report and recommendation is adopted.
2. Respondent's Motion to Dismiss is granted as to the named respondents.
3. Petitioner's Motion for Leave to Amend is granted.

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4. The Petition shall be dismissed with leave to amend.
5. The clerk shall serve this order on all counsel or parties of record.

DATED: March 21, 2008


HONORABLE A. HOWARD MATZ
UNITED STATES DISTRICT JUDGE